

Barry R. McBee, *Chairman*  
R. B. "Ralph" Marquez, *Commissioner*  
John M. Baker, *Commissioner*  
Jeffrey A. Saitas, *Executive Director*



## TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

*Protecting Texas by Reducing and Preventing Pollution*

July 10, 1998

Mr. Ray Leissner  
Ground Water/UIC Section 6WQ-SG  
U. S. Environmental Protection Agency  
Region 6  
1445 Ross Avenue  
Dallas, TX 75202-2733

RECEIVED  
STATE WATER  
PROTECTION  
DIVISION  
JUL 15 PM 1:40  
S-DWG

Re: Proposed Aquifer Exemptions for URI Vasquez and Rosita In Situ Uranium Mining Projects

Dear Mr. Leissner:

In response to your faxed letter of July 8, 1998, we are enclosing an amended map (Attachment 1) which clearly indicates boundaries of the proposed aquifer exemption, the lease area and the permit area for the Vasquez project. This map supersedes and replaces the original map (enclosed as Attachment 2) which was earlier submitted for your review. The amended map is reflective of the acreage of the exemption (approximately 842 acres) as stated in your letter. The amended map also indicates the 842-acre aquifer exemption area as conforming exactly to the project lease area, and containing the smaller permit area.

It is important to note that amendment of the subject map does not require notice to additional land owners or the general public under federal or state rules, because notice of the aquifer exemption was properly based on an exemption size of approximately 842 acres.

On another note, the Texas Natural Resource Conservation Commission has also determined that the reference to "841.66 acres" in the base mining permit (UR03050-001) was an inadvertent specification of the lease area rather than the permit area. Based on review of agency files on the proposed Vasquez project dating back to 1991, we find that URI's maps consistently have represented the permit area as smaller than and contained within the project lease area. The Executive Director on his own motion, will pursue a nonsubstantive correction to the stated acreage within the base mining permit pursuant to 30 TAC §50.45. Such permit correction will in no way affect the aquifer exemption.

Following your suggestion, we have also enclosed a supplemental version (Attachment 3) of the map of the Rosita project which was submitted for your review concerning the proposed extension of that project's exempted aquifer. The supplemental map is provided to more clearly indicate boundaries of the original aquifer exemption and its proposed 70-acre extension, along with boundaries of the project lease and permit areas.

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We wish to express our appreciation for your review of the information which we have submitted in support of the subject two aquifer exemptions, and your cooperation in quickly clarifying the information presented on related maps.

Sincerely,

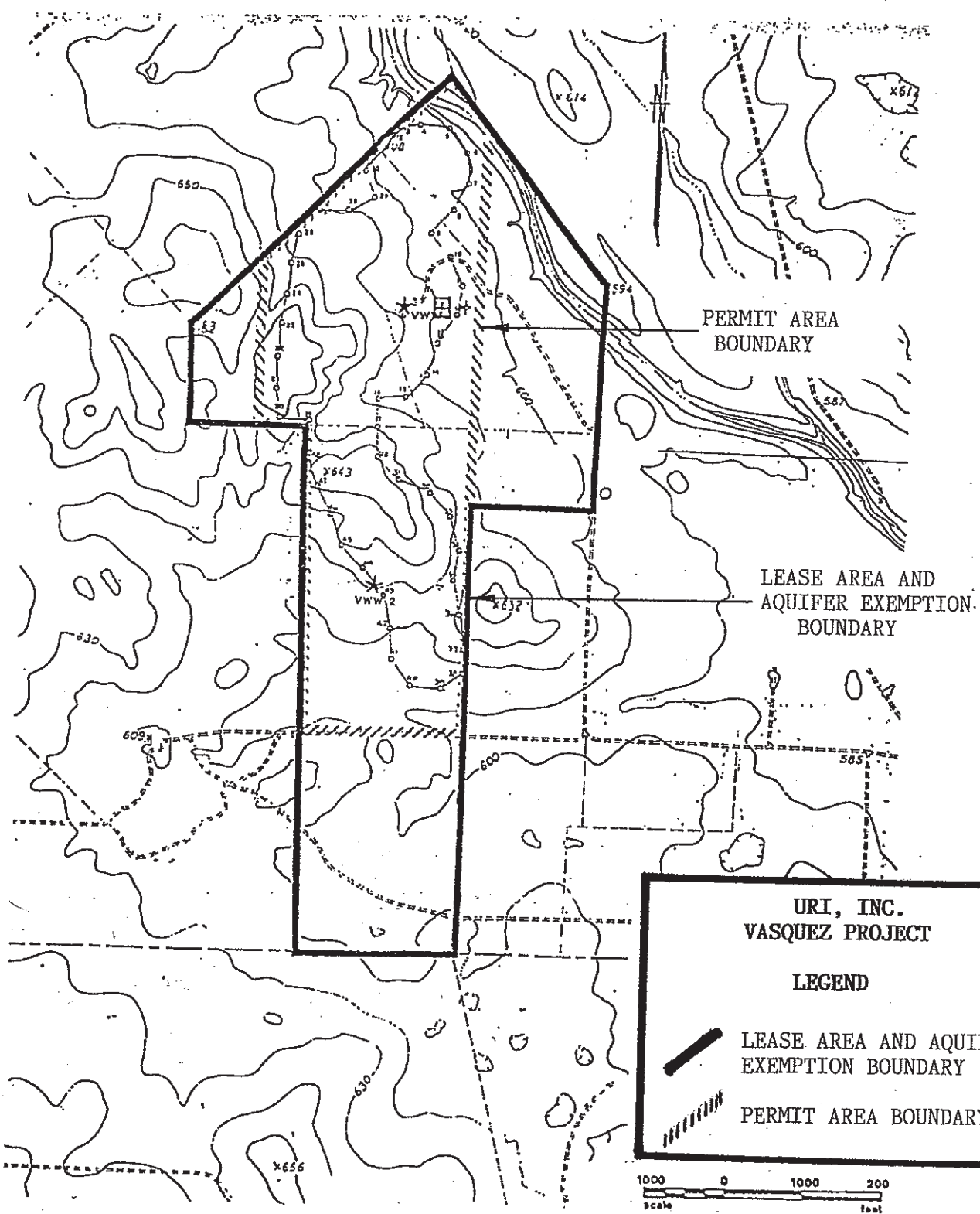
A handwritten signature in cursive script, appearing to read "Ben Knappe, for".

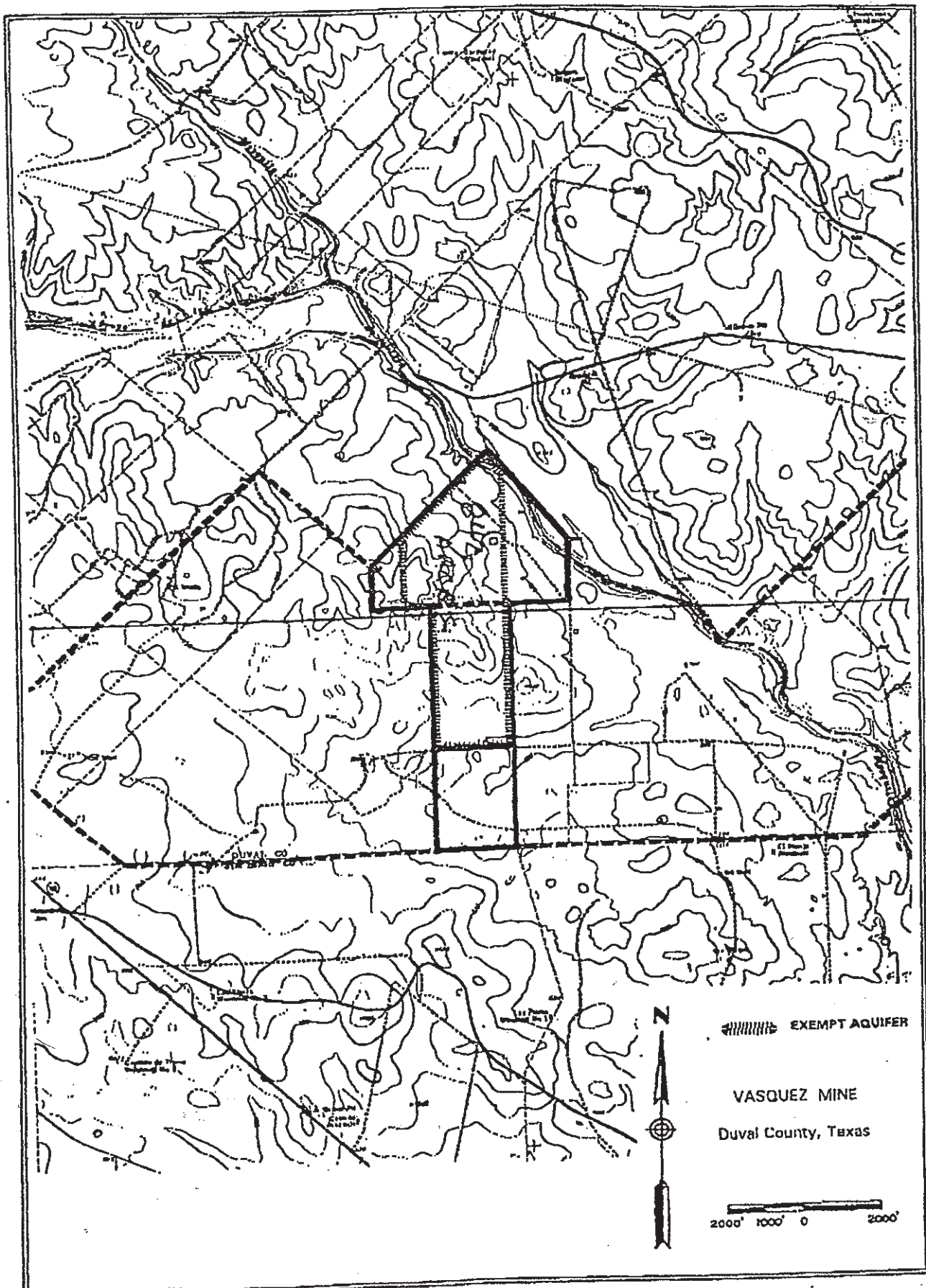
Alice Rogers, P. E., Manager  
Underground Injection Control & Radioactive Waste Section  
Industrial & Hazardous Waste Division

AHR/BK/jb

Enclosures

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ATTACHMENT 2 to TNRCC July 10, 1998 Letter to EPA

In the aquifer exemption package submitted by the TNRCC to the EPA this map is

